

## Message Text

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ACTION EB-07

INFO OCT-01 EA-06 IO-10 ISO-00 FEA-01 AGR-05 CEA-01

CIAE-00 COME-00 DODE-00 FRB-01 H-01 INR-05 INT-05

L-02 LAB-01 NSAE-00 NSC-05 PA-01 RSC-01 AID-05

CIEP-01 SS-15 STR-01 TAR-01 TRSE-00 USIA-06 PRS-01

SP-02 OMB-01 SWF-01 AF-04 ARA-06 EUR-12 NEA-06 OIC-02

/117 W

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R 261654Z NOV 74

FM USMISSION GENEVA

TO SECSTATE WASHDC 9405

INFO AMEMBASSY WELLINGTON

LIMITED OFFICIAL USE GENEVA 7176

E.O. 11652: N/A

TAGS: ETRD GATT NZ

SUBJECT: GATT ARTICLE XXVIII NEGOTIATIONS - NEW ZEALAND

REF: STATE 168739

1. WITH RESPECT NEW ZEALAND GATT NOTIFICATION  
CONTAINED GATT SECRET/220, 22 MAY 1974, NEW ZEALAND  
MISSION (FALCONER) HAS SUPPLIED NEW LETTER STATING  
THERE HAS BEEN NO BREACH OF GATT BINDINGS. NOVEMBER 13  
LETTER FALCONER-SPRUCE STATES MINISTERIAL DISCRETION  
APPLY TARIFFS ON ALL RESTRUCTURED ITEMS IS EFFECTIVE  
ONLY UP TO GATT-BOUND RATE. THUS, AS BOUND RATES NOT  
BREACHED, N.Z. FELT THEY NOT EVEN OBLIGATED NOTIFY CHANGE.  
THEY DID SO ONLY TO AVOID CONFUSION SINCE ITEMS INVOLVED -  
BUT NOT IMPAIRED - WERE BOUND ITEMS. FALCONER SAID ALL  
THIS WAS EXPLAINED TO U.S. AUTHORITIES BY WOODFIELD WHEN  
RECENTLY IN WASHINGTON; NOVEMBER 13 LETTER IS CONFIRMATION  
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OF N.Z. EXPLANATION. COPIES OF LETTER POUCHED EB/OT/TA

(BARRACLOUGH) AND COMMERCE (MONTGOMERY) ON NOVEMBER 19.

2. MISSION OFFICER CALLED ATTENTION TO FOOTNOTE REFERENCES CONTAINED IN ATTACHMENTS TO LETTER (ITEMS 39.01.012, 39.02.012, 39.02.022, AND 39.02.032 MARKED BY DAGGER) AND OBSERVED THIS DID NOT SPECIFY 25 PERCENT BOUND RATE AS MAXIMUM MINISTER MAY APPLY. FALCONER SAID THIS IMPLICIT. WE ASKED FOR WRITTEN CONFIRMATION; FALCONER TO SEEK AUTHORITY FROM WELLINGTON TO GIVE US SAME.

3. WE TOLD FALCONER THAT CONFIRMATION OF THIS LAST POINT WOULD APPEAR OBVIATE ANY NEED FOR U.S. COMPENSATORY CLAIM BUT WOULD CHECK WITH WASHINGTON.

4. ACTION REQUESTED: WOULD APPRECIATE EARLY CONFIRMATION OF WHETHER WASHINGTON ANALYSIS FALCONER'S NOVEMBER 13 LETTER COINCIDES WITH OUR READING.ABRAMS

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CUSTOMS DUTIES, IMPORTS, TARIFF NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 26 NOV 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** MorefiRH  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974GENEVA07176  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D740343-0712  
**From:** GENEVA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19741113/aaaaakbo.tel  
**Line Count:** 79  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** STATE 168739  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** MorefiRH  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 19 JUN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <19 JUN 2002 by elyme>; APPROVED <19-Nov-2002 by MorefiRH>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** GATT ARTICLE XXVIII NEGOTIATIONS - NEW ZEALAND  
**TAGS:** ETRD, NZ, US, GATT  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005